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Attorneys for Plaintiffs, District Council 16
Northern California Health and Welfare Trust Fund, et al.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DISTRICT COUNCIL 16 NORTHERN
CALIFORNIA HEALTH AND WELFARE TRUST
FUND, and its JOINT BOARD OF TRUSTEES;
ROBERT WILLIAMS and JOHN MAGGIORE,
Trustees; et al.

Plaintiffs,

v.

JJ RC, ENTERPRISES INC., a California Corporation
dba WINDOW COVERING SPECIALIST,

Defendant.

Case No. 4:23-cv-03837-HSG

**PLAINTIFFS' REQUEST TO
CONTINUE CASE MANAGEMENT
CONFERENCE; AND ORDER
THEREON (as modified)**

Date: October 31, 2023
Time: 2:00 p.m.
Location: via Telephone Conference
Judge: Hon. Haywood S. Gilliam, Jr.

Plaintiffs District Council 16 Northern California Health and Welfare Trust Fund, et al. ("Plaintiffs"), respectfully request that the Case Management Conference, currently on calendar for October 31, 2023, be continued for approximately thirty (30) days. Good cause exists for the granting of the continuance as follows:

1. As the Court's records will reflect, Plaintiffs filed a Complaint in this matter on July 31, 2023 against Defendant. (Dkt. No. 1.)
2. Defendant was served on August 9, 2023 and a Proof of Service of Summons was filed with this Court on August 15, 2023. (Dkt. No. 11).
3. Defendant's deadline to file a response was August 30, 2023. No response has been filed to date.

1 4. This action was filed primarily to compel Defendant to report and pay its outstanding
2 fringe benefit contributions. Since being served, Defendant contacted Plaintiffs and provided all
3 outstanding contribution reports.

4 5. At this time, the only remaining issue is payment of attorneys' fees and costs alleged as
5 due by Plaintiffs, which were required to compel Defendant to submit the outstanding contribution
6 reports. As Defendant is now in communication with Plaintiffs' Counsel, Plaintiffs expect to reach a
7 resolution on this outstanding issue in 30 days or less. If the attorneys' fees owed cannot be resolved
8 within the next 30 days, Plaintiffs will request entry of Defendant's default and will proceed with a
9 Motion for Default Judgment.

10 6. As there are no issues that need to be addressed by the Plaintiffs at the currently-
11 scheduled Case Management Conference, and in the interest of conserving costs, as well as the Court's
12 time and resources, Plaintiffs respectfully request that the upcoming Case Management Conference be
13 continued for thirty (30) days to allow sufficient time for the final remaining issue of attorneys' fees to
14 be resolved.

15 Respectfully submitted.

16
17 Dated: October 18, 2023

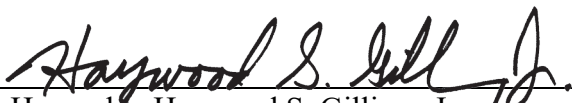
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LAW CORPORATION

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19 By: /S/
Matthew P. Minser
Attorneys for Plaintiffs

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21 **IT IS SO ORDERED.**

22 The currently set Telephonic Case Management Conference is hereby continued to December 5, 2023
23 at 2:00 p.m., and all previously set deadlines and dates related to this case are continued
24 accordingly. The dial-in information and instructions remain the same as previously provided in docket
25 no. 10.

26 DATED: 10/19/2023



Honorable Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT COURT JUDGE